Resolutions on matters of general Public Interest.

(1) Jaggery Tapping.

President.—Mr. K. Ayyappan will move his resolution.

Mr. K. Ayyappan.—"This Council recommends to the Government that jaggery tapping be made free of license." We have been copying many things from British India. All those copies are not found very useful here. Some are found even harmful also. Now, I am going to request the Government to copy a prctice of the Madras Presidency for the sake of the poor people here. In the Madras Presidency, tapping for sweet toddy is free of any license or permit. Tappers have simply to report to the Excise Department the number of trees they intend to tap. If we adopt that system, we will be encouraging a very useful and important industry which will give work to a considerable portion of the unemployed poor people here and also give an impetus to an industry which is the only source of sugar supply to the poor. The Government may now say that their licenses are free of any fees and, therefore, the poor people have no difficulty. But they have to apply for the license and in so doing they have to satisfy the subordinate officers of the Excise Department. You all know how costly it is to satisfy the aminadars who are to certify their applications. Therefore no reasonable man who is in the know of these things can object to my resolution. I request the House to support it.

Mr. A. Eachara Menon.—I second the motion.

Mr. M. K. Raman.—Sir, I support this resolution. The practice that now exists in Cochin is, whenever a tapper wants to tap for sweet toddy, he has to put in an application to the aminadar, or the Inspector and they send a report either that he is a fit person or that he is not a proper man to be allowed to tap. He has to obtain permission, though no fee is levied by the Government, that is, he has to obtain a formal license and only then he can begin to tap for sweet toddy. As has been pointed out by my friend, there is considerable difficulty to get this permission. In fact, it is a handle given to the authorities concerned and, should they happen to be unscrupulous men, they utilise it to their best advantage. No such restriction, I understand, exists in British parts for jaggery tapping or in the neighbourhood of Cochin. Our ambition has been to copy all that is prevalent in British parts. I don't understand why this useful thing, that is prevalent there, should not also be copied by us. There have been many complaints about this matter. It has been agitated on this Council and a number of questions

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have been asked, resolutions also have come up. My submis sion is only that this useful industry may be encouraged and all those who want to tap for sweet toddy may be allowed to do so without any license or permit. Of course there may be a communication from them to give the information to the Excise Department so that they may exercise supervision and watch over what these people are doing. The probable objection, that may be raised against this proposal, will be that the Excise officers will not be able to exercise proper control and supervise effectively to prevent malpractices; the Hon'ble Member for Excise will say it is very easy to convert sweet toddy into sour toddy by omitting to add Chunam. My submission is that it does not appear to be a proper reason. We have got an Excise preventive force under efficient management and to say that malpractices could not be detected will not speak highly of our department. I believe, if the Excise authorities exercise proper action, malpractices can be detected. They are being detected in other parts. There is no reason to suppose that tappers in Cochin are of a less moral calibre than they are in British parts. Of course offences are committed, they are detected and punished. It will not be a sound reason to say that the supervision will be difficult. So my request is that the Government may remove that restriction, which unnecessarily exists in Cochin and which very often gives a handle to subordinate officers to harass the poor tappers and jaggery tapping may be permitted freely without license. The information, that they are going to tap certain trees in such and such places, can be given previously to the Excise officers, so that they may be more vigilant and have effective supervision. I request this House to support this measure and pass this unanimously.

Dr. A. G. Menon.—Is there any opposition on the Government side ?

Mr. U. Kandar Menon.—I am sorry I have to oppose the resolution. In doing so, I wish to inform the House that the Government are fully alive to the fact, that it is their duty to afford all reasonable facilities to support this indigenous industry, upon which a number of poor people depends for their subsistence. At the same time, I hope the Council will agree with me when I say that, in the interests of the people themselves, it is the duty of the chosen representatives of the people to help the Government in providing proper safeguards to prevent malpractices. It is only with a view to facilitate the detection of malpractices that the Government requests the continuance of the existing practice of taking out a license for jaggery tapping.

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The subject matter of the resolution was brought to the notice of the Government by the present Hon'ble Member for Kunnamkulam by a cut motion on the demands for grant, made by the Excise Department during the Budget Session of 1101. The Hon'ble Member then pointed out that there is much discontent among the poor tapping community on account of this licensing system. The Government then explained the real difficulties in the matter of abolishing the licensing system altogether, but expressed their willingness to issue the licenses free for the purpose of promoting the development of the industry. The question was elaborately discussed by the Council and the Hon'ble mover, with the consent of the House, withdrew the motion on the assurance given by the Government that no tax will be levied in future. The tax was accordingly abolished from 1102. The question whether jaggery tapping can be made free of licenses was again considered by the Members of the Excise Committee appointed by the Government in deference to the wishes of some of the members of the First Council and the majority have come to the conclusion that it is not advisable to do so. I refer to para 8 of their remark on the dissenting minute of Mr. M. K. Raman. I don't think it necessary to read it since a copy of it has already been supplied to the Members. The Hon'ble Member for Ezhuvas North was a Member of the Committee and he alone dissented. That this licensing system has not in any way retarded the growth of the industry will be clear from the fact that the number of trees tapped for jaggery is increasing every year. The number has increased from 22,615 in 1101 to 30,384 in 1102. There has been a steady increase in the course of successive years so much so that the number has now come up to 35,000 trees. The number of licenses has also increased from 2,331 to 2,668. Having regard to this large increase in the number of trees tapped for jaggery it will be very difficult to detect malpractices, if the licensing system is abolished. As tapping for fermented toddy is more profitable, there is always a tendency for the jaggery tappers to abuse their privileges and commit malpractices, by manufacturing fermented toddy instead of jaggery toddy, and unless adequate safeguards are taken to prevent malpractices, in addition to the substantial loss of revenue by way of tree tax, there will be a large supply of illicit liquor, which will increase the drink evil. In these days, when everybody pleads for local option, if not for absolute prohibition, it will be very unsatisfactory if the supply of toddy and arrack is increased, on account of the default in taking effective steps to prevent illicit supply. Even as it is, there is a large number of cases in which jaggery licenses have to be cancelled on account of malpractices. In the year of 1102, 41 licenses,

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involving 304 trees, had to be cancelled for this reason. In 1104 the number has increased to 73, involving 691 trees. I need hardly submit, that these figures do not represent the actual number of cases, as there will be many cases which go undetected for several reasons. If in spite of all these precautionary measures taken, such malpractices exist to a large extent, the consequences of abolishing the licensing system altogether, which make it difficult, if not impossible to detect malpractices, can more or less be imagined than described. With regard to the objection urged by my learned friend that there is considerable delay in the issue of licenses, I must say it is not a fact.

Mr. M. K. Raman.—I did not say delay. Isaid that there are difficulties.

Mr. U. Kandar Menon.—There is absolutely no delay. Within 15 days they are issued.

Mr. M. K. Raman.—I did not mean delay.

Mr. U. Kandar Menon.—So, it is conceded that there is no delay. With regard to the other complaint I must say that it is very easy to make statements that the aminadars have to be paid and all that. If any such cases are brought to the notice of the responsible authorities, proper action will be taken. This will be no argument to say that the licenses should be abolished. Beyond this vague statements, I don't think any of the Members had brought it to the notice of the present Excise Superintendent. And there are no records to show that any such complaints has been brought to the notice of my predecessors. So far as I am personally concerned nobody has come to me and said that there is such a difficulty. If there is a real difficulty, I would be the first man to take prompt action in the matter and see that it is at once stopped. The House will not misunderstand the attitude of the Government. It is only to prevent malpractices that the Government insists upon the retention of the licensing system.

Mr. M. K. Raman.—Will the Hon'ble Member kindly state the number of persons who applied and the number of persons to whom it was granted.

Mr. U. Kandar Menon.—It is granted, as a matter of course, to all, except in the case of convicted persons. In the case of old licencees the licence is renewed as a matter of course and the moment the application is made, a temporary license is issued to him. That authorises him to go on with the tapping. The Hon'ble Member for Ezhuvas may know that before tapping certain other processes have to be done, and before the yield begins there will be at least 15 days' delay. So there is no

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difficulty. These things are allowed to be done even before the formal license is issued. There is a portion in the T. T. application which is given to them as temporary license. So the fact that there is some delay in the issue of licenses does not cause any inconveniences at all to the tappers. In the case of new applicants, of course, I must admit that there is some delay, nearly a month, because we have to enquire whether they have been previously convicted. Enquiries have to be made and that may take some time. And that also cannot affect the tappers because they are entitled to put in their applications early in Karkadagam. By Chingam the whole thing will be over. And I may tell you that in these matters, whenever I find delay, even one day, I take explanations from the officers concerned, and they are properly dealt with. I can assure you that I will do my best to encourage the industry and, if, after waiting for some time, you find that there is any difficulty in the matter, you are at liberty to move this resolution again. It is only for the purpose of seeing that no malpractices are committed that I insist upon the retention of the licensing system.

Mr. M. K. Raman.—May I know whether it is only in cases of persons convicted of Abkari offences ?

Mr. U. Kandar Menon.—Licences are refused to persons who have abused the privilege.

Mr. M. K. Raman.—In the case of those who have got previous convictions, you totally refuse.

Mr. U. Kandar Menon.—They are given a chance to improve. I have allowed such applications even to-day. If the conviction is recent, I have to make certain enquiries.

Mr M. K. Raman.—You must give them also some chance to improve.

Mr. A. B. Salem.—May I know, area to area, our preventive force ?

Mr. U. Kandar Menon.—My friend refers to the practice in the Madras Presidency. There is considerable difference in the nature of Excise administration in our State and the Madras Presidency. In the Madras Presidency the preventive force has to do only executive work. The collection of revenue, the auction of shops, etc., are done by the Collector and his staff. It is not so here. Here the sale of shops, the collection of revenue, and everything rests upon the Abkari officers unlike in the Madras Presidency. That makes all the difference between the two cases. So in the Madras Presidency the preventive staff is in a better position to detect malpactices. The licensing of the trees is retained in the Agency tracts, even there. In Travancore also licenses are issued to jaggery tappers except in the case of a few taluks.

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Mr. A. B. Salem.—Don't you give free licenses to these?

Mr. U. Kandar Menon.—Yes.

Mr. A. B. Salem.—That means everybody can do it.

Mr. U. Kandar Menon.—It does not make any difference so for as the tappers are concerned. I request the Council not to accept the resolution.

Mr. K. Ayyappan.—On this assurance I withdraw. On the assurance given by the Government, I beg to withdraw.

The motion was withdrawn with the leave of the House.

(2) Staff Selection Board.

President.—Mr. C. A. Kunjunni Raja's resolution.

Mr. C. A. Kunjunni Raja.—The resolution runs thus: "This Council recommends that a Staff Selection Board be appointed with powers a kin to those of the Public Service Commission in British India" It was your predecessor who said when he was about to take leave of this House that in Cochin, to a large extent, by politics it is meant only conferment of a few appointments.

"It is nothing but truth, pure and simple, when I say that there is a rush of applicants when a vacancy arises; one amongst them is chosen with the result that a number of persons goes discontented and the Diwan becomes a maligned officer in their estimation. As regards the one actually appointed, he has no word of thanks to the Diwan, and he thinks it is his intrinsic merit that secured the place for him and he is in no way indebted to the Diwan". Of course, appointment is a matter which gives some trouble and anxiety to the Government and to the officers concerned. There are some who advocate that appointments should be made on a communal basis, calculated on the number of population of each of the various communities in the State. These are others who advocate that appointments should be in proportion to the educated number in each community. These are the two advocates of communalism in the matter of appointments. There were certain features in the past, which I do not propose to elaborate now, which are not very desirable in the matter of appointments. These features have been voiced in this House on several occasions and several questions, showing relationship and kindred affinities of the appointees with those who appoint, have been put. It is only fair that the Government should give no room to say, in particular, that relations are favoured and unqualified men are put in. Room for such comments should be avoided. It is only to avoid such unpleasant features that I propose that a Staff Selection Board should be appointed. The powers of the Board may be like those given to the Public Service Commission in British India. So far as British India is concerned, with regard to communal claim for preference, the Government have already fixed an order in which appointments have to be made in some of the departments in the

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